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C O N F I D E N T I A L STATE 018243

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E.O. 12958: DECL: 02/22/2018
TAGS: [UNSC](#) [PTER](#) [PREL](#) [LE](#) [SY](#)
SUBJECT: DEMARCHE REQUEST: EXPEDITING THE INFRASTRUCTURE
FOR THE SPECIAL TRIBUNAL FOR LEBANON

Classified By: Assistant Secretary Kristen Silverberg,
for reasons 1.4 (b) and (d)

¶1. (C) This is an action request. Department requests post encourage the Dutch to expedite the permit process on the building set aside for the Special Tribunal for Lebanon. Demarche in para 2 below should be delivered to the Government of Netherlands office responsible for coordinating Dutch cooperation with the Special Tribunal for Lebanon. Post may draw on background in paras 4 - 6 below.

¶2. (C/Rel to GON) Post should pursue the following objectives:

-- Encourage the Dutch government to expedite the construction and infrastructure needed for the Special Tribunal for Lebanon. The rapid establishment of the Tribunal is vitally important for the people of Lebanon and will send a message to those who continue to undermine Lebanese democracy through violence and intimidation.

-- Urge the Dutch to expedite the permitting process and to allow immediate occupancy for use by Tribunal staff of the AVID building while the security fence and further security upgrades are put into place. As an interim measure, an alternate worksite might be arranged before a security fence is constructed or other viable alternatives might be considered in order to eliminate delays in the staff's ability to work.

-- Note that we are concerned about rising costs but are willing to make some concessions in the budget for speed; however, continual delays coupled with rising costs will risk the long-term viability of the Tribunal and reduce its effectiveness in deterring future assassinations.

¶3. (U) Point of Contact and Reporting Deadline: For questions or further information, please contact Anneliese Reinemeyer in IO/UNP (202 647-0046 or in the GAL). Department requests that post report the results of the demarche by March 3.

Background

¶4. (C//Rel to GON) The Management Committee for the Special Tribunal for Lebanon met in New York on February 19 to discuss the proposed construction packages for the Tribunal building. The Tribunal registrar, Robin Vincent, advised the Committee that renovation costs for the AVID building have increased to \$15 million (from the earlier estimate of \$10 million) because the Dutch Government's Buildings Agency (RGD) has determined that the addition of a courtroom and

holding cells will turn the building into a public space for purposes of the fire safety code, meaning that what RGD originally had thought were optional fire safety improvements (costing \$3.8 million) are now mandatory.

15. (C//Rel to GON) Additionally, an occupancy permit and a building permit are required, but the construction work could begin while the permitting applications are underway. The permitting process could take 13 weeks at the earliest. The office space is physically ready to occupy, except that the Dutch security services do not want Tribunal staff to move in until a security fence has been constructed around the building. That project will take 13 weeks. Vincent thought, if necessary, staff could move in even before the security fence is constructed but said he would need to explore that issue. Vincent also agreed to provide details on the cost of renting temporary office space, if needed, to house Tribunal staff if it turns out the building cannot be occupied when the staff are ready to start working.

16. (C//Rel to GON) As for the courtroom and holding cells, Vincent said the earliest they could be ready would be January 2009, assuming work begins in early March. The RGD will run the construction project, including developing designs and identifying the construction company that will perform the work. When USUN pressed Vincent for details on whether the construction contracts would be awarded by competitive bidding, Vincent explained that the RGD has concluded that, to expedite the construction process, they will be able to classify the project as "Secret" and thus opt out of burdensome ECC contracting regulations. Vincent said using competitive bidding could create delays, increasing overall costs. (Note: Vincent agreed to arrange for Management Committee's members, representatives in The Hague to take a group tour of the Tribunal building).

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